

CHAMBER ACTION

1 The Committee on Business Regulation recommends the following:

2
3 **Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

6 An act relating to construction contracting; amending s.
7 489.117, F.S.; specifying when a person may perform
8 specialty contracting services for the construction,
9 remodeling, repair, or improvement of a swimming pool or
10 spa without obtaining a local professional license;
11 requiring certain local authorities to allow local
12 registration, as specified, as an alternative to other
13 local licenses; authorizing a fee; requiring workers'
14 compensation coverage or exemption therefrom; creating s.
15 553.8414, F.S.; creating the Swimming Pool and Solar
16 Technical Advisory Committee of the Florida Building
17 Commission; providing for appointment and duties of
18 committee members; providing effective dates.

19
20 Be It Enacted by the Legislature of the State of Florida:

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22 Section 1. Paragraph (f) is added to subsection (4) of
23 section 489.117, Florida Statutes, to read:

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24 489.117 Registration; specialty contractors.--
25 (4)
26 (f) Portions of work related to the construction of a
27 swimming pool or spa require the use of specialized skill and
28 equipment that are frequently available only through specialty
29 contracting services. Due to these unique needs for specialty
30 services, any person who is not required to obtain registration
31 or certification pursuant to s. 489.105(3)(a)-(i) or (m)-(o) may
32 perform specialty contracting services for the construction,
33 remodeling, repair, or improvement of a swimming pool or spa as
34 specified in s. 489.105(3)(j)-(l) without obtaining a local
35 professional license if such person is supervised by a certified
36 or registered commercial pool/spa contractor, residential
37 pool/spa contractor, or swimming pool/spa servicing contractor
38 acting within the scope of the supervising contractor's license.
39 A local authority that does not require a local specialty
40 contractor license or local certificate of competency for any
41 service provided by a certified or registered commercial
42 pool/spa contractor, residential pool/spa contractor, or
43 swimming pool/spa servicing contractor must allow, as an
44 alternative to the local license or certificate, local
45 registration of the person contracting with a supervising
46 contractor to perform a specialty service under this paragraph.
47 The local authority may charge a fee for local registration
48 which does not exceed \$150. The local authority may not require
49 proof of competency for local registration and shall require
50 documentation that a registrant is covered by workers'
51 compensation coverage or a valid exemption from such coverage.

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52 Local registration shall require the registrant to contract with
 53 a certified or registered commercial pool/spa contractor,
 54 residential pool/spa contractor, or swimming pool/spa servicing
 55 contractor.

56 Section 2. Effective upon this act becoming a law, section
 57 553.8414, Florida Statutes, is created to read:

58 553.8414 Swimming Pool and Solar Technical Advisory
 59 Committee.--

60 (1) The Florida Building Commission shall, on or before
 61 July 1, 2004, establish the Swimming Pool and Solar Technical
 62 Advisory Committee of the commission and shall appoint members
 63 of the committee in the same manner as members are appointed to
 64 the commission's other technical advisory committees. The
 65 committee shall consist of no fewer than 10 persons who
 66 represent the swimming pool and solar construction industry. The
 67 chair of the commission shall annually designate a commission
 68 member to serve as chair of the committee. Each committee member
 69 shall be appointed for a 2-year term and may be reappointed at
 70 the discretion of the commission.

71 (2) The Swimming Pool and Solar Technical Advisory
 72 Committee shall advise the commission on any matters relating to
 73 building code standards for swimming pools, spas, and solar
 74 equipment.

75 Section 3. Except as otherwise provided herein, this act
 76 shall take effect July 1, 2004.